

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.,
Plaintiff, Counter-defendant,
v.
APPLE INC.,
Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR-TSH

**[PROPOSED] ORDER GRANTING
EPIC'S ADMINISTRATIVE MOTION TO
SEAL LIMITED PORTIONS OF THE
PARTIES' TRIAL EXHIBITS AND ANY
REFERENCES AT TRIAL TO THE
INFORMATION SOUGHT TO BE
SEALED**

Hon. Yvonne Gonzalez Rogers

Having considered the Administrative Motion to Seal Pursuant to Civil L.R. 7-11 and 79-5 (“Motion”) and supporting materials filed by Epic, the Court finds that there are compelling reasons for granting the request to file documents under seal. *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178-80 (9th Cir. 2006). Accordingly, the Court **GRANTS** Epic’s Motion to Seal and ORDERS:

- (1) To the extent the information sought to be sealed by the Motion are introduced into evidence at trial, that information shall remain under seal, for reasons articulated in the table below;
- (2) The Court shall temporarily limit public access to the trial proceedings to those present live in the courtroom while sealable information related to trial exhibits is being discussed; and
- (3) Portions of the transcript related to such sealable information are additionally ordered sealed.

Trial Ex. No./ Dep. Tr.	Page(s)	Reason for Sealing and Evidence Offered in Support	Grant or Deny
DX-3233	EPIC_00126265 & EPIC_00126273	Non-public document setting forth confidential third-party financial information. Kreiner Declaration ¶¶ 2-3.	
DX-3297	EPIC_02897552	Detailed non-public pricing and terms of commercial agreements with third party. Kreiner Declaration ¶¶ 2-3.	
DX-4362	EPIC_00428916-18	Includes information identifying specific Epic confidential anti-cheat controls. Kreiner Declaration ¶ 4.	
DX-4800		Confidential pricing and terms of commercial agreements with third parties. Kreiner Declaration ¶¶ 2-3.	
DX-5549	Entire document	Information of third-party client of Epic's expert witness.	
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Hitt Direct Demonstratives	Slide 12	Confidential pricing and terms of commercial agreements with third parties. Kreiner Declaration ¶¶ 2-3.	
PX-2456	EPIC_02030347, EPIC_02030355, & EPIC_02030363	Confidential third-party revenue and financial information. Kreiner Declaration ¶¶ 2-3.	
PX-2469	EPIC_03967162 & EPIC_03967173	Confidential third-party revenue, cost and financial information. Kreiner Declaration ¶¶ 2-3.	

IT IS SO ORDERED.

Dated:

X

Hon. Yvonne Gonzalez Rogers
United States District Judge